I certify this to be a true and correct copy of the indicated document as referred or transmitted to committee.

Chief Clerk of the House

FILFD FEB 27 2003 .J.R. No. 61

A JOINT RESOLUTION

proposing a constitutional amendment authorizing municipalities to 1

donate surplus fire-fighting equipment or supplies for the benefit

of rural volunteer fire departments.

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4 BE IT RESOLVED BY THE LEGISLATURE OF THE STATE OF TEXAS:

5 Article III, Texas Constitution, is amended by SECTION 1. 6

adding Section 52i to read as follows:

7 Sec. 52i. (a) A municipality may donate surplus equipment,

supplies, or other materials used in fighting fires to the Texas

Forest Service or to a successor agency authorized to cooperate in

the development of rural fire protection plans.

11 (b) The Texas Forest Service or the successor agency may,

based on need, redistribute to rural volunteer fire departments the

equipment, supplies, or materials donated under Subsection (a). 13

14 This proposed constitutional amendment shall be

submitted to the voters at an election to be held November 4, 2003.

16 The ballot shall be printed to permit voting for or against the

17 proposition: "The constitutional amendment authorizing

municipalities to donate surplus fire-fighting equipment or 18

supplies for the benefit of rural volunteer fire departments." 19

HOUSE TO ADD TO ADD TO CO. COMMITTEE REPORTS ADDRESS OF THE SECOND STATES.

1st Printing

By: McReynolds, et al.

H.J.R. No. 61

A JOINT RESOLUTION

- 1 proposing a constitutional amendment authorizing municipalities to
- 2 donate surplus fire-fighting equipment or supplies for the benefit
- 3 of rural volunteer fire departments.
- BE IT RESOLVED BY THE LEGISLATURE OF THE STATE OF TEXAS:
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- 16 The ballot shall be printed to permit voting for or against the
- 17 proposition: "The constitutional amendment authorizing
- 18 municipalities to donate surplus fire-fighting equipment or
- 19 supplies for the benefit of rural volunteer fire departments."

COMMITTEE REPORT

The Honorable Tom Craddick
Speaker of the House of Representatives

3-28-23 (date)

Sir: We, your COMMITTEE ON URBAN AFFAIRS to whom was referred H.J.R. E1 have had the same under consideration and beg to report back with the recommendation that it (do pass, without amendment.) do pass, with amendment(s).) do pass and be not printed; a Complete Committee Substitute is recommended in lieu of the original measure. (yes () no A fiscal note was requested. () yes (Y no A criminal justice policy impact statement was requested.) yes (no An equalized educational funding impact statement was requested. () yes (no An actuarial analysis was requested. () yes (no A water development policy impact statement was requested. () yes (no A tax equity note was requested. () The Committee recommends that this measure be sent to the Committee on Local and Consent Calendars. For Senate Measures: House Sponsor ___ Joint Sponsors: Co-Sponsors: The measure was reported from Committee by the following vote: NAY PNV Talton, Chair Van Arsdale, Vice-chair Bailey **Edwards** Hunter Menendez Wong Total

Roberts Jolton

aye

nay

absent

present, not voting

BILL ANALYSIS

H.J.R. 61 By: McReynolds Urban Affairs Committee Report (Unamended)

BACKGROUND AND PURPOSE

Article III of the Texas Constitution is entitled Legislative Department. It contains the provisions regarding the legislative branch of government, vested in the Senate and House of Representatives. Article III contains provisions regulating procedural matters of the legislature, as well as substantive powers. Section 52, of Article III, also prohibits grants and loans of public property and public money. H.J.R. 61 would authorize an exception from this prohibition for municipalities to give unneeded fire fighting equipment to the state, with further authority to give the equipment to rural volunteer fire departments. As proposed, House Joint Resolution 61 requires the submission to the voters of a constitutional amendment authorizing municipalities to donate surplus fire-fighting equipment or supplies for the benefit of rural volunteer fire departments.

RULEMAKING AUTHORITY

It is the committee's opinion that this resolution does not expressly grant any additional rulemaking authority to a state officer, department, agency, or institution.

SECTION BY SECTION ANALYSIS

SECTION 1. Amends Article III of the Texas Constitution to add Section 52-i to authorize cities to give fire fighting equipment, supplies and materials that are surplus to the Texas Forest Service or a successor agency for possible redistribution to rural volunteer fire departments in the state.

SECTION 2. To be voted on November 4, 2003; ballot proposition.

FOR ELECTION

This proposed constitutional amendment shall be submitted to the voters at an election to be held November 4, 2003. If the voters approve the amendment, House Joint Resolution 61 takes effect on the date of the official canvass of returns showing adoption.

H.J.R. 61 78(R) Page 1 of 1

SUMMARY OF COMMITTEE ACTION

HJR 61

March 26, 2003 10:30AM or upon final adjourn./recess

Considered in public hearing
Testimony taken in committee (See attached witness list.)
Left pending in committee

March 28, 2003

upon final adjourn./recess

Considered in formal meeting Reported favorably without amendment(s)

2

WITNESS LIST

HJR 61 HOUSE COMMITTEE REPORT Urban Affairs Committee

March 26, 2003 - 10:30AM or upon final adjourn./recess

For: Miller, Lisa (Self and State Firemen's & Fire Marshal's

Assn. of TX)

Webb, Bill (Self and Etoile VFD and Rural Fire Advisory

Council)

On:

Galloway, Don (Texas Forest Service)
Moore, Jeff (Office of the Attorney General)

FISCAL NOTE, 78TH LEGISLATIVE REGULAR SESSION

March 17, 2003

TO: Honorable Robert Talton, Chair, House Committee on Urban Affairs

FROM: John Keel, Director, Legislative Budget Board

IN RE: HJR61 by McReynolds (Proposing a constitutional amendment authorizing municipalities to donate surplus fire-fighting equipment or supplies for the benefit of rural volunteer fire departments.), As Introduced

No fiscal implication to the State is anticipated, other than the cost of publication.

The cost to the state for publication of the resolution is \$85,275.

The resolution proposes a constitutional amendment that would authorize a municipality to donate surplus equipment, supplies, or other materials used in fighting fires to the Texas Forest Service or to a successor agency authorized to cooperate in developing rural fire protection plans. The Texas Forest Service would redistribute the donated items, based on need, to rural volunteer fire departments.

The proposed constitutional amendment would be considered by the voters in the general election to be held November 4, 2003.

Local Government Impact

No fiscal implication to units of local government is anticipated.

Source Agencies: 576 Texas Forest Service



HOUSE ENGROSSMENT

By: McReynolds, et al.

H.J.R. No. 61

A JOINT RESOLUTION

- 1 proposing a constitutional amendment authorizing municipalities to
- 2 donate surplus fire-fighting equipment or supplies for the benefit
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- 4 BE IT RESOLVED BY THE LEGISLATURE OF THE STATE OF TEXAS:
- 5 SECTION 1. Article III, Texas Constitution, is amended by
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- Sec. 52i. (a) A municipality may donate surplus equipment,
- 8 supplies, or other materials used in fighting fires to the Texas
- 9 Forest Service or to a successor agency authorized to cooperate in
- 10 the development of rural fire protection plans.
- 11 (b) The Texas Forest Service or the successor agency may,
- 12 based on need, redistribute to rural volunteer fire departments the
- equipment, supplies, or materials donated under Subsection (a).
- 14 SECTION 2. This proposed constitutional amendment shall be
- submitted to the voters at an election to be held November 4, 2003.
- 16 The ballot shall be printed to permit voting for or against the
- 17 proposition: "The constitutional amendment authorizing
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Local Government Impact

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Source Agencies: 576 Texas Forest Service

By: McReynolds, et al. (Senate Sponsor - Armbrister) H.J.R. No. 61 (In the Senate - Received from the House April 10, 2003; April 14, 2003, read first time and referred to Committee on Intergovernmental Relations; May 7, 2003, reported favorably by the following vote: Yeas 4, Nays 0; May 7, 2003, sent to printer.) 1-1 1-2 1-3 1 - 41-5

HOUSE JOINT RESOLUTION

proposing a constitutional amendment authorizing municipalities to donate surplus fire-fighting equipment or supplies for the benefit of rural volunteer fire departments.

BE IT RESOLVED BY THE LEGISLATURE OF THE STATE OF TEXAS:

SECTION 1. Article III, Texas Constitution, is amended by adding Section 52i to read as follows:

Sec. 52i. (a) A municipality may donate surplus equipment, supplies, or other materials used in fighting fires to the Texas Forest Service or to a successor agency authorized to cooperate in the development of rural fire protection plans.

(b) The Texas Forest Service or the successor agency may,

based on need, redistribute to rural volunteer fire departments the

equipment, supplies, or materials donated under Subsection (a).

SECTION 2. This proposed constitutional amendment shall be submitted to the voters at an election to be held November 4, 2003. The ballot shall be printed to permit voting for or against the "The amendment authorizing proposition: constitutional municipalities to donate surplus fire-fighting equipment supplies for the benefit of rural volunteer fire departments.'

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FAVORABLE SENATE COMMITTEE REPORT ON

Sponsor)

SB SCR SJR SR HB HCR HJR

Sir: We, your Committee on INTERGOVERNMI have on S/7/03 (date of hearing) back with the recommendation (s) that it: (v do pass and be printed () do pass and be ordered not printed					referred the atta	
have on S/7/03 (date of hearing) back with the recommendation (s) that it: (No pass and be printed)						
(date of hearing) back with the recommendation (s) that it: (v do pass and be printed	, ł	nad the s	same unde	r consideration	and I am instruc	ted to report it
back with the recommendation (s) that it: (v do pass and be printed						
() do pass and be ordered not printed				·		
and is recommended for placement on the	Local	and Un	contested	Bills Calendar.		
A fiscal note was requested. ()	yes	() no				
A revised fiscal note was requested. ()	yes	(D) NO				
An actuarial analysis was requested. ()	yes	() no				
Considered by subcommittee. ()	yes	(1)110				
The measure was reported from Committee by	y the f	following	g vote:			
			YEA	NAY	ABSENT	PNV
Senator Frank Madla, Chairman			1			
Senator Kim Brimer, Vice-Chairman						
Senator Bob Deuell			<u> </u>			
Senator Mario Gallegos			<u>//</u>			
Senator Jeff Wentworth						
TOTAL VOTES			4			

COMMITTEE ACTION

S260 Considered in public hearing S270 Testimon Liken

COMMITTEE CLERK

CHAIRMAN

Paper clip the original and one copy of this signed form to the original bill Retain one copy of this form for Committee files

BILL ANALYSIS

Senate Research Center 78R4736 PAM-D

H.J.R. 61 By: McReynolds (Armbrister) Intergovernmental Relations 4/24/2003 Engrossed

DIGEST AND PURPOSE

Currently, the Texas Constitution prohibits the legislature from authorizing municipalities to donate surplus fire-fighting equipment or supplies for the benefit of rural volunteer fire departments. As proposed, H.J.R. 61 requires the submission to the voters of a constitutional amendment authorizing municipalities to donate surplus fire-fighting equipment or supplies for the benefit of rural volunteer fire departments.

RULEMAKING AUTHORITY

This bill does not expressly grant any additional rulemaking authority to a state officer, institution, or agency.

SECTION BY SECTION ANALYSIS

SECTION 1. Amends Article III, Texas Constitution, by adding Section 52i, as follows:

- Sec. 52i. (a) Authorizes a municipality to donate surplus equipment, supplies, or other materials used in fighting fires to the Texas Forest Service or to a successor agency authorized to cooperate in the development of rural fire protection plans.
 - (b) Authorizes the Texas Forest Service or the successor agency to, based on need, redistribute to rural volunteer fire departments the equipment, supplies, or materials donated under Subsection (a).

SECTION 2. Requires this proposed constitutional amendment to be submitted to the voters at an election to be held November 4, 2003. Requires the ballot to be printed to permit voting for or against the proposition: "The constitutional amendment authorizing municipalities to donate surplus fire-fighting equipment or supplies for the benefit of rural volunteer fire departments."

FISCAL NOTE, 78TH LEGISLATIVE REGULAR SESSION

April 14, 2003

TO: Honorable Frank Madla, Chair, Senate Committee on Intergovernmental Relations

FROM: John Keel, Director, Legislative Budget Board

IN RE: HJR61 by McReynolds (Proposing a constitutional amendment authorizing municipalities to donate surplus fire-fighting equipment or supplies for the benefit of rural volunteer fire departments.), As Engrossed

No fiscal implication to the State is anticipated, other than the cost of publication.

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The resolution proposes a constitutional amendment that would authorize a municipality to donate surplus equipment, supplies, or other materials used in fighting fires to the Texas Forest Service or to a successor agency authorized to cooperate in developing rural fire protection plans. The Texas Forest Service would redistribute the donated items, based on need, to rural volunteer fire departments.

The proposed constitutional amendment would be considered by the voters in the general election to be held November 4, 2003.

Local Government Impact

No fiscal implication to units of local government is anticipated.

Source Agencies: 576 Texas Forest Service

FISCAL NOTE, 78TH LEGISLATIVE REGULAR SESSION

March 17, 2003

TO: Honorable Robert Talton, Chair, House Committee on Urban Affairs

FROM: John Keel, Director, Legislative Budget Board

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Source Agencies: 576 Texas Forest Service

REQUEST FOR LOCAL & UNCONTESTED CALENDAR PLACEMENT

SENATOR CHRIS HARRIS, CHAIRMAN SENATE COMMITTEE ON ADMINISTRATI	ON			
SENATE COMMITTEE ON ADMINISTRATI	ON	1 100	1 0	
Notice is hereby given that	, by	Arm bris		,
(Bill No.) was heard by the Committee on	16R	(Auton_	hor/Sponsor) 5/7	,2003
and reported out with the recommendation th	at it be placed	on the Local and Uno	contested Calen	dar.
		. 4/.		
		Willey	tinh	
		(Clerk of the repo	orting committe	e)

IMPORTANT: A COPY OF THIS FORM MUST BE ATTACHED TO A COMMITTEE PRINTED VERSION OF THE BILL OR RESOLUTION AND SHOULD BE DELIVERED TO THE ADMINISTRATION COMMITTEE OFFICE, E1.714. DEADLINES FOR SUBMITTING BILLS AND RESOLUTIONS WILL BE ANNOUNCED ON A REGULAR BASIS.

ENROLLED

H.J.R. No. 61

A JOINT RESOLUTION

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- 19 supplies for the benefit of rural volunteer fire departments."

Preside	nt of the Senate	Speaker of the House
I cer	tify that H.J.R. No. 6	61 was passed by the House on April
9, 2003, by	the following vote:	Yeas 142, Nays 0, 1 present, not
voting.		
		Chief Clerk of the House
I cer	tify that H.J.R. No.	61 was passed by the Senate on May
20, 2003, by	the following vote:	Yeas 31, Nays 0.
		Secretary of the Senate
RECEIVED:		_
	Date	
-	Secretary of State	-

Preside	ent of the Senate	Speaker of the House
		was passed by the House on 2003, by the following vote: not voting (4)
		Chief Clerk of the House
		was passed by the Senate on 2003, by the following vote:
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	Secretary of State	-

**** Preparation: CT23;

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I.J.R. No.	61	

By Jun Menglesprolde

proposing a constitutional amendment authorizing municipalities to donate surplus fire-fighting equipment or supplies for the benefit of rural volunteer fire departments.

FEB 2 7 2003	Filed with the Chief Clerk
MAR 0 5 2003	Read first time and referred to Committee on
WAR 2 8 2003	Reportedfavorably (account to a constant)
APR 0 2 2003	
	_ Sent to Committee on Calendars
APR 0 9 2003	Read second time (common subst.) (and adopted (percent subst.) by a record vote of
	Read third time (amended) and finally adopted (failed of adoption) by a
APR 0 9 2003	record vote of yeas, nays, present, not voting Engrossed
APR 1 0 2003	Sent to Senate CHIEF CLERK OF THE HOUSE
OTHER HOUSE ACTIO	ON:
APR 1 0 2003	_ Received from the House
APR 1 4 2003	Read and referred to Committee onINTERGOVERNMENTAL RELATIONS
MAY 07 2003	Reported favorably
	_ Reported adversely, with favorable Committee Substitute; Committee Substitute read first time
	Ordered not printed
	Laid before the Senate
MAY 2 0 2003	Senate and Constitutional Rules to permit consideration suspended by (unanimous consent) (yeas, nays)
MAY 2 0 2003	Read second time,, and passed to third reading by (unanimous consent)
	nays)
MAY 2 0 2003	Senate and Constitutional 3 Day Rules suspended by a vote of 31 yeas, 0 nays
MAY 2 0 2003	Read third time,, and passed by 31 yeas, nays
May 20, 2003	_ Returned to the House
OTHER SENATE ACT	SECRETARY OF THE SENATE

MAY 2 0 2003	Returned from the Senate (with an additional)
	House concurred in Senate amendments by a (non-record vote) (record vote of yeas, nays, present, not voting)
	House refused to concur in Senate amendments and requested the appointment of a conference committee by a (non-record vote) (record vote of yeas, nays, present, not voting)
	House conferees appointed:, Chair;,
	Senate granted House request. Senate conferees appointed:, Chair
	Conference committee report adopted (rejected) by the House by a record vote of yeas, present, not voting
	Conference committee report adopted (rejected) by the Senate by a record vote of yeas, nays

Constitution